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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/678,718	GAGE, STACEY M.
	Examiner	Art Unit
	Juan C. Ochoa	2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 April 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-96* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-96* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 April 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed 4/9/07 has been received and considered. Claims 1–96 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1–72 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. An specific description of "a storage element" is critical or essential to the practice of the invention, but not included in the claim(s) is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976). In the amended limitation, "a storage element for saving a model of the target system" or "saving the model of the target system in a storage element"; a description of what specifically encompasses "a storage element" is absent from the disclosure.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 1, 2, 4–14, 16–24, 38–41, 54–72, and 80–96 are rejected under 35 U.S.C. 103(a) as being unpatentable over AeroSim Blockset User's Guide, (AeroSim hereinafter).

7. As to claim 1, AeroSim discloses a computer–implemented method for **modeling a target system** (see "AeroSim aeronautical simulation blockset provides a complete set of tools for the rapid **development of** nonlinear 6-degree-of-freedom **aircraft dynamic models**" in page 3, col. 2, last paragraph, lines 1–3) that includes a component as a portion of the target system, the method comprising: providing a first ***icon* for the component** (see "The AeroSim library folders, presented in Fig. 2, provide more than one-hundred **blocks** commonly used in the development of aircraft dynamic models" in page 3, col. 2, last paragraph, lines 1–3 and ***icons*** in Fig. 2) in a **model of the target system** (see "The AeroSim library includes all of the blocks needed for building a nonlinear six-degree-of-freedom **aircraft model**" in page 41, 1st paragraph, lines 1–2); presenting a user interface in response to an action taken by a user (see "double-click the block to open the block parameters dialog" in page 32, 4th paragraph and ***user interface/dialog box*** in Fig. 2) selecting the first icon, and selecting a first

component model provided in the user interface so that the icon becomes associated with and represents the first component model (see icons in either page 3, Fig. 2 or page 41, Fig. 31), wherein the first component model is **incorporated into the model of the target system *through the icon*** (see "The main library folder, shown in Fig. 31 includes **sub-folders for various parts of the aircraft dynamic model**" in page 41, 2nd paragraph, lines 1–2 and ***icons*** in Fig. 31); and saving the model of the target system in a **storage element** (see "The **library** also provides complete aircraft models" in page 4, col. 2, last paragraph).

8. AeroSim discloses presenting a user interface in response to an action taken by a user (see "double-click the block to open the block parameters dialog" in page 32, 4th paragraph and user interface/dialog box in Fig. 2) selecting an icon, and selecting a component model provided in the user interface so that the icon becomes associated with and represents the component model (see icons in either page 3, Fig. 2 or page 41, Fig. 31), i.e. association between **an** icon and its component model as recited in claim 1 above.

9. AeroSim <u>does not disclose expressly</u> presenting a user interface in response to an action taken by a user selecting <u>the first icon</u>, and selecting <u>a first component model</u> provided in the user interface so that the icon becomes associated with and represents <u>the first component model</u>.

10. Official notice is taken that the association between a "first" icon and its component model was well known at the time the invention was made in the analogous art of Simulink, Dynamic System Simulation for MATLAB, User's Guide, Version 2.1,

(Simulink hereinafter). **AeroSim is a blockset** for development of aircraft dynamic models" (see page 3, col. 2, last paragraph, lines 1–3). Simulink discloses "**Blocksets are collections of Simulink blocks** that are grouped in a separate library from the main Simulink library" (see page 1–14, lines 1–3). Simulink discloses "Simulink is a software package for modeling, simulating, and analyzing dynamical systems" (see page 1–2, next to last paragraph, lines 1–2). Simulink discloses "For modeling, **Simulink provides a graphical user interface (GUI) for building models as block diagrams, using click-and-drag mouse operations**" (see page 1–2, last paragraph, lines 1–2). Simulink discloses "**Models are hierarchical, so you can build models using both top-down and bottom-up approaches. You can view the system at a high-level, then double-click on blocks to go down through the levels to see increasing levels of model detail.** This approach provides insight into how a model is organized and how its parts interact" (see page 1–3, 2nd paragraph). Simulink discloses "Certain aspects of a block's function are defined by the block's parameters. **You can assign values to block parameters on the block's dialog box. Double-click on the block to open its dialog box.** You can accept the displayed values or change them" (see page 3-7, last paragraph).

11. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to associate a "first" icon with its component model.

12. Therefore, it would have been obvious to modify AeroSim to obtain the invention as specified in claim 1.

13. As to claim 2, AeroSim discloses a method further comprising: switching the first icon to represent a second component model by selecting the second component model in the user interface (see "library" in page 3, col. 2, last paragraph, lines 1–3).

14. As to claim 4, AeroSim discloses a method wherein the component models belong to a category of wind turbulence models that include at least a discrete turbulence model (see page 65).

15. As to claim 5, AeroSim discloses a method of claim wherein the component models belong to a category of equations of motion models that include at least one simple variable mass model and at least one custom variable mass model (see "current mass of the fuel in the tank" in page 177, col. 2, line 1).

16. As to claim 6, AeroSim discloses a method of claim wherein the user interface includes an option that provides users with multiple component models for the users to select one of the multiple component models (see page 41, 2nd paragraph).

17. As to claim 7, AeroSim discloses a method wherein component models provided as options of the user interface may be extended by users (see page 32, 1st and 2nd paragraphs).

18. As to claim 8, AeroSim discloses a method wherein after the second component model is selected in the user interface, the second component model is incorporated into the model of the target system through the first icon (see page 32, 4th paragraph).

19. As to claim 9, AeroSim discloses a method wherein the first component model has a same configuration of external ports that can be of input or output type as the second component model (see "customized" in page 26, lines 1–4).

20. As to claim 10, AeroSim discloses a method wherein the first component model has a different configuration of external ports that can be of input or output type as the second component model (see "customized" in page 26, lines 1–4; page 35, col. 2, next to last paragraph; and "which specifies what parameters of the flight dynamics model the program will output" in page 36, col. 1, OUTPUT bullet).

21. As to claim 11, AeroSim discloses a method wherein the first icon represents one of the first component model and the second component model depending on users' selection of the first component model and the second component model (see "we will specify the aircraft parameter file" in page 32, 4^{th} paragraph).

22. As to claim 12, AeroSim discloses a method wherein the first component model is switched to the second component model without replacing the first icon by a second icon representing the second component model (see page 32, 4^{th} paragraph).

23. As to claim 13, AeroSim discloses a computer–implemented method for **modeling a target system** (see "AeroSim aeronautical simulation blockset provides a complete set of tools for the rapid **development of** nonlinear 6-degree-of-freedom **aircraft dynamic models**" in page 3, col. 2, last paragraph, lines 1–3) that includes a component as a portion of the target system, the method comprising: providing a first ***icon* for the component** (see "The AeroSim library folders, presented in Fig. 2, provide more than one-hundred **blocks** commonly used in the development of aircraft dynamic models" in page 3, col. 2, last paragraph, lines 1–3 and ***icons*** in Fig. 2) in a **model of the target system** (see "The AeroSim library includes all of the blocks needed for building a nonlinear six-degree-of-freedom **aircraft model**" in page 41, 1^{st} paragraph,

lines 1–2); presenting a user interface in response to an action taken by a user (see "double-click the block to open the block parameters dialog" in page 32, 4th paragraph and ***user interface/dialog box*** in Fig. 2) selecting the first icon, and selecting a first component model provided in the user interface so that the icon becomes associated with and represents the first component model after a sequence of modifications to the model (see icons in either page 3, Fig. 2 or page 41, Fig. 31), wherein the component model is **incorporated into the model of the target system *through the icon*** (see "The main library folder, shown in Fig. 31 includes **sub-folders for various parts of the aircraft dynamic model**" in page 41, 2nd paragraph, lines 1–2 and ***icons*** in Fig. 31); and saving the model of the target system in a storage element (see "The library also provides complete aircraft models" in page 4, col. 2, last paragraph).

24. AeroSim discloses presenting a user interface in response to an action taken by a user (see "double-click the block to open the block parameters dialog" in page 32, 4th paragraph and user interface/dialog box in Fig. 2) selecting an icon, and selecting a component model provided in the user interface so that the icon becomes associated with and represents the component model (see icons in either page 3, Fig. 2 or page 41, Fig. 31), i.e. association between **an** icon and its component model as recited in claim 13 above.

25. AeroSim does not disclose expressly presenting a user interface in response to an action taken by a user selecting the first icon, and selecting a first component model provided in the user interface so that the icon becomes associated with and represents the first component model.

26. Official notice is taken that the association between a "first" icon and its component model was well known at the time the invention was made in the analogous art of Simulink, Dynamic System Simulation for MATLAB, User's Guide, Version 2.1, (Simulink hereinafter). **AeroSim is a blockset** for development of aircraft dynamic models" (see page 3, col. 2, last paragraph, lines 1–3). Simulink discloses "**Blocksets are collections of Simulink blocks** that are grouped in a separate library from the main Simulink library" (see page 1–14, lines 1–3). Simulink discloses "Simulink is a software package for modeling, simulating, and analyzing dynamical systems" (see page 1–2, next to last paragraph, lines 1–2). Simulink discloses "For modeling, **Simulink provides a graphical user interface (GUI) for building models as block diagrams, using click-and-drag mouse operations**" (see page 1–2, last paragraph, lines 1–2). Simulink discloses "**Models are hierarchical, so you can build models using both top-down and bottom-up approaches. You can view the system at a high-level, then double-click on blocks to go down through the levels to see increasing levels of model detail.** This approach provides insight into how a model is organized and how its parts interact" (see page 1–3, 2nd paragraph). Simulink discloses "Certain aspects of a block's function are defined by the block's parameters. **You can assign values to block parameters on the block's dialog box. Double-click on the block to open its dialog box.** You can accept the displayed values or change them" (see page 3-7, last paragraph).

27. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to associate a "first" icon with its component model.

28. Therefore, it would have been obvious to modify AeroSim to obtain the invention as specified in claim 13.

29. As to claim 14, AeroSim discloses a method further comprising: switching the first icon to represent a second component model by selecting the second component model in the user interface (see "library" in page 3, col. 2, last paragraph, lines 1–3).

30. As to claim 16, AeroSim discloses a method wherein the component models belong to a category of wind turbulence models that include at least a discrete turbulence model (see page 65).

31. As to claim 17, AeroSim discloses a method wherein the component models belong to a category of equations of motion models that include at least one simple variable mass model and at least one custom variable mass model (see "current mass of the fuel in the tank" in page 177, col. 2, line 1).

32. As to claim 18, AeroSim discloses a method wherein the user interface includes an option that provides users with multiple component models for the users to select one of the multiple component models (see page 41, 2nd paragraph).

33. As to claim 19, AeroSim discloses a method wherein component models provided as options of the user interface may be extended by users (see page 32, 1st and 2nd paragraphs).

34. As to claim 20, AeroSim discloses a method wherein after the second component is selected in the user interface, the second component model is incorporated into the model of the target system through the first icon (see page 32, 4th paragraph).

35. As to claim 21, AeroSim discloses a method wherein the first component model has a same configuration of external ports that can be of input or output type as the second component model (see "customized" in page 26, lines 1–4).

36. As to claim 22, AeroSim discloses a method wherein the first component model has a different configuration of external ports that can be of input or output type as the second component model (see "customized" in page 26, lines 1–4; page 35, col. 2, next to last paragraph; and "which specifies what parameters of the flight dynamics model the program will output" in page 36, col. 1, OUTPUT bullet).

37. As to claim 23, AeroSim discloses a method wherein the first icon represents one of the first component model and the second component model depending on users' selection of the first component model and the second component model (see "we will specify the aircraft parameter file" in page 32, 4th paragraph).

38. As to claim 24, AeroSim discloses a method wherein the first component model is switched to the second component model without replacing the first icon by a second icon representing the second component model (see page 32, 4th paragraph).

39. As to claim 38, AeroSim discloses a computer implemented system for **designing a target system** (see "AeroSim aeronautical simulation blockset provides a complete set of tools for the rapid **development of** nonlinear 6-degree-of-freedom **aircraft dynamic models**" in page 3, col. 2, last paragraph, lines 1–3) in which a planetary environment is one of factors for designing the target system, the system comprising: a model storage for storing and providing models necessary to design the target system (see "library" in page 3, col. 2, last paragraph, lines 1–3); a design unit for

designing the target system by utilizing the models provided by the model storage (see page 4, col. 2, last paragraph), and a **storage element** for saving a model of the target system (see "The **library** also provides complete aircraft models" in page 4, col. 2, last paragraph), wherein the model storage provides a plurality of wind turbulence models including at least a discrete wind turbulence model (see page 65).

40. As to claim 39, AeroSim discloses a system further comprising an execution unit for executing the target system designed in the design unit (see page 32, 1st and 2nd paragraphs).

41. As to claim 40, AeroSim discloses a system wherein the execution unit is realized through a process of automatic code generation from the design unit (see page 32, 2nd paragraph).

42. As to claim 41, AeroSim discloses a system wherein numerical representations including data type, precision and data vectorization of the models are automatically derived from the context of using the models when executing the models (see page 32, 4th and 5th paragraphs).

43. As to claim 54, AeroSim discloses a system wherein the models provided from the model storage are represented in symbols (see page 4, Fig. 2).

44. As to claim 55, AeroSim discloses a system wherein the symbols include blocks (see " blocks" in page 3, col. 2, last paragraph, lines 1–3).

45. As to claim 56, AeroSim discloses a system wherein the design unit provides a user interface to enter parameters for each block of the target system in response to an action taken by users (see page 32, 4th paragraph).

46. As to claim 57, AeroSim discloses a system wherein the user interface is provided in response to users clicking each block of the target system (see page 41, 2nd paragraph).

47. As to claim 58, AeroSim discloses a system wherein the user interface provides an option to select one of the wind turbulence models from the model storage (see page 41, 2nd paragraph and "atmosphere" icon in Fig. 31, as well as page 62).

48. As to claim 59, AeroSim discloses a system wherein the wind turbulence models from the model storage are provided in the user interface in response to an action taken by users (see page 41, 2nd paragraph and "atmosphere" icon in Fig. 31).

49. As to claim 60, AeroSim discloses a computer implemented system for **designing a target system** (see "AeroSim aeronautical simulation blockset provides a complete set of tools for the rapid **development of** nonlinear 6-degree-of-freedom **aircraft dynamic models**" in page 3, col. 2, last paragraph, lines 1–3) in which an aerospace or aeronautic model is one of elements for designing the target system, the system comprising: a model storage for storing and providing models necessary to design the target system (see "library" in page 3, col. 2, last paragraph, lines 1–3); a design unit for designing a model of the target system by utilizing the models provided by the model storage, and a **storage element** for saving a model of the target system (see "The **library** also provides complete aircraft models" in page 4, col. 2, last paragraph), wherein the model storage provides a plurality of models for equations of motion (see page 4, col. 2, last paragraph), wherein the plurality of models for equations of motion include at least one model for equations of motion with simple variable mass

and at least one model for equations of motion with custom variable mass (see page 3, col. 2, last paragraph, lines 3–5).

50. As to claim 61, AeroSim discloses a system further comprising an execution unit for executing the target system designed in the design unit (see page 32, 1st and 2nd paragraphs).

51. As to claim 62, AeroSim discloses a system wherein the execution unit is realized through a process of automatic code generation from the design unit (see page 32, 2nd paragraph).

52. As to claim 63, AeroSim discloses a system wherein numerical representations including data type, precision and data vectorization of the models are automatically derived from the context of using the models when executing the models (see page 32, 4th and 5th paragraphs).

53. As to claim 64, AeroSim discloses a system wherein the models for equations of motion include models for one of three-degree-of-freedom equations of motion and six-degree-of-freedom equations of motion (see page 41, lines 1–2).

54. As to claim 65, AeroSim discloses a system wherein the plurality of models for equations of motion implement in multiple axes representations (see "EOM" in page 89, lines 7–9).

55. As to claim 66, AeroSim discloses a system wherein the plurality of models for equations of motion implement in one of body axes (see " body axes" in page 89, lines 7–9) and wind axes (see page 50).

56. As to claim 67, AeroSim discloses a system wherein the models provided from the model storage are represented in symbols (see page 4, Fig. 2).

57. As to claim 68, AeroSim discloses a system wherein the symbols include blocks (see " blocks" in page 3, col. 2, last paragraph, lines 1–3).

58. As to claim 69, AeroSim discloses a system wherein the design unit provides a user interface to enter parameters for each block of the target system in response to an action taken by users (see page 32, 4th paragraph).

59. As to claim 70, AeroSim discloses a system wherein the user interface is provided in response to users clicking each block of the target system (see page 41, 2nd paragraph).

60. As to claim 71, AeroSim discloses a system wherein the user interface provides an option to select one of the equations of motion models in the model storage (see page 41, 2nd paragraph and "equations of motion" icon in Fig. 31, as well as page 89).

61. As to claim 72, AeroSim discloses a system wherein the equations of motion models in the model storage are provided in the user interface in response to an action taken by users (see page 41, 2nd paragraph and "equations of motion" icon in Fig. 31).

62. As to claim 80, AeroSim discloses a computer-readable medium holding instructions executable in a computer for the **design of a target system** (see "AeroSim aeronautical simulation blockset provides a complete set of tools for the rapid **development of** nonlinear 6-degree-of-freedom **aircraft dynamic models**" in page 3, col. 2, last paragraph, lines 1–3), wherein a planetary environment is one of factors for designing the target system, comprising: providing wind turbulence models necessary to

design the target system wherein the wind turbulence model includes at least one discrete wind turbulence model (see page 65); and incorporating the wind turbulence models to the target system (see page 4, col. 2, last paragraph).

63. As to claim 81, AeroSim discloses a medium further comprising executing behavior of the target system designed (see page 32, 1st and 2nd paragraphs).

64. As to claim 82, AeroSim discloses a medium wherein the wind turbulence models are represented by blocks (see " blocks" in page 3, col. 2, last paragraph, lines 1–3).

65. As to claim 83, AeroSim discloses a medium wherein the step of incorporating comprises providing a graphical user interface in response to an action taken by a user (see page 32, 4th paragraph).

66. As to claim 84, AeroSim discloses a medium wherein a graphical user interface is provided in response to users clicking the blocks representing wind turbulence models (see page 41, 2nd paragraph).

67. As to claim 85, AeroSim discloses a medium wherein the graphical user interface provides an option to change a wind turbulence model to another wind turbulence model (see page 41, 2nd paragraph and “atmosphere” icon in Fig. 31).

68. As to claim 86, AeroSim discloses a medium wherein the graphical user interface provides blanks to enter parameters of the wind turbulence models to produce outputs of the wind turbulence models (see page 32, 4th paragraph).

69. As to claim 87, AeroSim discloses a computer-readable medium holding instructions executable in a computer for the **design of a target system** (see "AeroSim aeronautical simulation blockset provides a complete set of tools for the rapid

development of nonlinear 6-degree-of-freedom **aircraft dynamic models**" in page 3, col. 2, last paragraph, lines 1–3), comprising: providing equations of motion models necessary to design the target system wherein the equations of motion models include at least one of simple variable mass models and custom variable mass models (see page 3, col. 2, last paragraph, lines 3–5); and incorporating the equations of motion models into the target system (see page 4, col. 2, last paragraph).

70. As to claim 88, AeroSim discloses a medium wherein the equations of motion models include at least one of three-degree-of-freedom equations of motion models and six-degree-of-freedom equations of motion models (see page 41, lines 1–2).

71. As to claim 89, AeroSim discloses a medium further comprising executing behavior of the target system designed (see page 32, 1st and 2nd paragraphs).

72. As to claim 90, AeroSim discloses a medium wherein the equations of motion models implemented in multiple axes representations (see "EOM" in page 89, lines 7–9).

73. As to claim 91, AeroSim discloses a medium wherein the equations of motion models implemented in one of body axes (see " body axes" in page 89, lines 7–9) and wind axes (see page 50).

74. As to claim 92, AeroSim discloses a medium wherein the equations of motion models are represented by blocks (see " blocks" in page 3, col. 2, last paragraph, lines 1–3).

75. As to claim 93, AeroSim discloses a medium wherein the step of incorporating comprises providing a graphical user interface in response to an action taken by a user (see page 32, 4th paragraph).

76. As to claim 94, AeroSim discloses a medium wherein the graphical user interface is provided in response to user's clicking the blocks representing the equations of motion models (see page 41, 2nd paragraph).

77. As to claim 95, AeroSim discloses a medium wherein the graphical user interface provides an option to change an equation of motion model to another equations of motion model (see page 41, 2nd paragraph and "atmosphere" icon in Fig. 31).

78. As to claim 96, AeroSim discloses a medium wherein the graphical user interface provides blanks to enter parameters of the equations of motion models to produce outputs of the equations of motion models (see page 32, 4th paragraph).

79. Claims 3, 15, 25–37, 42–53, and 73–79 are rejected under 35 U.S.C. 103(a) as being unpatentable over AeroSim as applied to claims 1, 13, and 38 above, taken in view of Marc Rauw, (Rauw hereinafter), FDC 1.2 - A Simulink Toolbox for Flight Dynamics and Control Analysis.

80. As to claims 3 and 15, while AeroSim discloses modeling a target system, AeroSim fails to disclose non-standard day atmosphere models.

81. Rauw discloses a method wherein the component models belong to a category of atmosphere models that include at least a non standard day atmosphere model (see "a non standard day atmosphere model" as a model in which "the geometrical altitude h in this equation must be replaced by the geopotential altitude" in page 24, last

paragraph to page 25, last paragraph, line 2). As per "The standards MIL-HDBK-310 and MIL-STD-210C also provide consistent vertical profiles of temperature and density up to 80 km based on extremes at 5, 10, 20, 30 and 40 km. The input of the models is geopotential height" (see application description page 13, 2nd paragraph, lines 10–13), Examiner interprets "a non standard day atmosphere model" as a model in which "the geometrical altitude h in this equation must be replaced by the geopotential altitude".

82. AeroSim and Rauw are analogous art because they are both related to flight dynamics.

83. Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to utilize the atmosphere model of Rauw in the method of AeroSim because Rauw develops the Flight Dynamics and Control toolbox FDC based upon Matlab and Simulink, as a graphical software environment for the design and analysis of aircraft dynamics and control systems (see page iii, lines 1–3), and as a result, Rauw reports the following improvements over his prior art, i.e. flight control systems with mechanical linkages: a full authority, fly-by-wire, digital control system, i.e. an Automatic Flight Control System (AFCS), which incorporates design-techniques and mathematical dynamic models in a user-friendly Computer Assisted Control System Design (CACSD) package (see page 11, lines 3–9).

84. As to claim 25, AeroSim discloses a computer implemented system for **designing a target system** (see "AeroSim aeronautical simulation blockset provides a complete set of tools for the rapid **development of** nonlinear 6-degree-of-freedom **aircraft dynamic models**" in page 3, col. 2, last paragraph, lines 1–3) in which a

planetary environment is one of factors for designing the target system, the system comprising: a model storage for storing and providing models necessary to design the target system (see "library" in page 3, col. 2, last paragraph, lines 1–3); a design unit for designing the target system by utilizing the models provided by the model storage (see page 4, col. 2, last paragraph); and a **storage element** for saving a model of the target system (see "The **library** also provides complete aircraft models" in page 4, col. 2, last paragraph). Rauw discloses model storage including at least one non-standard day atmosphere model (see "a non standard day atmosphere model" as a model in which "the geometrical altitude h in this equation must be replaced by the geopotential altitude" in page 24, last paragraph to page 25, last paragraph, line 2). As per "The standards MIL-HDBK-310 and MIL-STD-210C also provide consistent vertical profiles of temperature and density up to 80 km based on extremes at 5, 10, 20, 30 and 40 km. The input of the models is <u>geopotential height</u>" (see application description page 13, 2nd paragraph, lines 10–13), Examiner interprets "a non standard day atmosphere model" as a model in which "the geometrical altitude h in this equation must be replaced by the <u>geopotential altitude</u>".

85. As to claim 26, AeroSim discloses a system further comprising an execution unit for executing the target system designed in the design unit (see page 32, 1st and 2nd paragraphs).

86. As to claim 27, AeroSim discloses a system wherein the execution unit is realized through a process of automatic code generation from the design unit (see page 32, 2nd paragraph).

87. As to claim 28, AeroSim discloses a system wherein numerical representations of the models including data type, precision and data vectorization of the models are automatically derived from the context of using the models when executing the models (see page 32, 4th and 5th paragraphs).

88. As to claim 29, Rauw discloses a system wherein the non-standard day atmosphere model includes a model incorporating a non-standard day atmosphere from one of military standard specifications MIL-HDBK-310 and MIL-STD-210C (see “a non standard day atmosphere model” as a model in which "the geometrical altitude h in this equation must be replaced by the geopotential altitude" in page 24, last paragraph to page 25, last paragraph, line 2). As per “The standards MIL-HDBK-310 and MIL-STD-210C also provide consistent vertical profiles of temperature and density up to 80 km based on extremes at 5, 10, 20, 30 and 40 km. The input of the models is geopotential height” (see application description page 13, 2nd paragraph, lines 10–13), Examiner interprets “a non standard day atmosphere model” as a model in which "the geometrical altitude h in this equation must be replaced by the geopotential altitude".

89. Claim 29, has been given a broad reasonable interpretation by the Examiner. The Examiner notes that the implementation disclosed in (page 24, last paragraph to page 25, last paragraph, line 2) is functionally equivalent to the results produced by the implementation expressly claimed in Applicant’s dependent claim 29. Therefore, the “product” that is produced by performing the implementation disclosed in dependent claim 29 is the functional equivalent of the “product” that is produced in (page 24, last

paragraph to page 25, last paragraph, line 2). Although the "implementation" by which the end result is different, the final result for the "implementation" is identical.

90. As to claim 30, AeroSim discloses a system wherein the model storage includes standard atmosphere models (see page 3, col. 2, last line).

91. As to claim 31, AeroSim discloses a system wherein the standard atmosphere model includes a Committee on Extension to the Standard Atmosphere (COESA) atmosphere model (see page 3, col. 2, last line).

92. Claim 31, has been given a broad reasonable interpretation by the Examiner. The Examiner notes that the implementation disclosed in (page 3, col. 2, last line) is functionally equivalent to the results produced by the implementation expressly claimed in Applicant's dependent claim 31. Therefore, the "product" that is produced by performing the implementation disclosed in dependent claim 31 is the functional equivalent of the "product" that is produced in (page 3, col. 2, last line). Although the "implementation" by which the end result is different, the final result for the "implementation" is identical.

93. As to claim 32, AeroSim discloses a system wherein the models provided from the model storage are represented in symbols (see page 4, Fig. 2).

94. As to claim 33, AeroSim discloses a system wherein the symbols include blocks (see " blocks" in page 3, col. 2, last paragraph, lines 1–3).

95. As to claim 34, AeroSim discloses a system wherein the design unit provides a user interface to enter parameters for each block of the target system in response to an action taken by users (see page 32, 4th paragraph).

96. As to claim 35, AeroSim discloses a system wherein the user interface is provided in response to users clicking each block of the target system (see page 41, 2nd paragraph).

97. As to claim 36, AeroSim discloses a system wherein the user interface provides an option to select one of the atmosphere models in the model storage (see page 41, 2nd paragraph and "atmosphere" icon in Fig. 31).

98. As to claim 37, AeroSim discloses a system wherein the atmosphere models in the model storage are provided in the user interface in response to an action taken by users (see page 41, 2nd paragraph and "atmosphere" icon in Fig. 31, as well as page 62).

99. As to claim 42, AeroSim discloses MIL-STD-8785C (see "Von Karman" in page 65, line 1). Rauw discloses a system wherein the plurality of wind turbulence model includes a model incorporating a wind turbulence model from one of military specifications MIL-HDBK-1797 (see "MIL-HDBK-1797" as "digital Dryden" in page 57, last paragraph to page 58, 1st paragraph) and MIL-STD-8785C (see "Von Karman" in page 65, line 1 and as " Dryden" in page 118, Description, lines 1–2). As per "The specifications MIL-F-8785C and MIL-STD-1797 provide atmospheric turbulence forms including Von Karman form and Dryden form, discrete wind gust form and wind shear form. The specification MIL-STD-1797 additionally provides the digital filter implementation of the Dryden turbulence components" (see application description page 14, last paragraph), Examiner interprets "MIL-F-8785C" as "atmospheric turbulence

forms including Von Karman form and Dryden form" and "MIL-HDBK-1797" as "digital filter implementation of the Dryden turbulence components".

100. As to claim 43, Rauw discloses a system wherein the plurality of wind turbulence models includes wind turbulence models that are continuous in altitude (see " A major drawback of the Von Karman spectral densities is that they are not rational functions of Ω. For this reason the following power spectral density model is often used for flight simulation, i.e. Dryden spectra" in page 32, 3rd to 2nd paragraphs from the bottom).

101. As to claim 44, Rauw discloses a system wherein the plurality of wind turbulence models includes wind turbulence models at altitudes within multiple transition regions between the multiple regions for wind turbulence models (see "regions" as "steady and non-steady atmospheres" in page 235 to page 237, 1st paragraph).

102. As to claim 45, Rauw discloses a system wherein the plurality of wind turbulence models includes a wind turbulence model at an altitude in a transition region between first and second regions (see "first region" as flight, "transition" as "approach", and "second region" as "landing" in page 235, lines 1–10).

103. As to claim 46, Rauw discloses a system wherein the wind turbulence models in the first and second regions being defined in military specifications (see "military specifications" as "digital Dryden" in page 57, last paragraph to page 58, 1st paragraph, "Von Karman" in page 65, line 1 and as " Dryden" in page 118, Description, lines 1–2). As per "The specifications MIL-F-8785C and MIL-STD-1797 provide atmospheric turbulence forms including Von Karman form and Dryden form, discrete wind gust form and wind shear form. The specification MIL-STD-1797 additionally provides the digital

filter implementation of the Dryden turbulence components" (see application description page 14, last paragraph), Examiner interprets "MIL-F-8785C" as "atmospheric turbulence forms including Von Karman form and Dryden form" and "MIL-HDBK-1797" as "digital filter implementation of the Dryden turbulence components".

104. As to claim 47, Rauw discloses a system wherein the wind turbulence models within a plurality of transition regions generate values of the wind turbulence model by transition methods between the multiple regions for wind turbulence (see page 236, 3rd paragraph from the bottom, lines 2–7).

105. As to claim 48, Rauw discloses a system wherein the transition method of the wind turbulence model within a single transition region may contain a plurality of transition methods (see page 236, 3rd paragraph from the bottom, lines 2–7).

106. As to claim 49, Rauw discloses a system wherein the plurality of transition methods may overlap (see page 236, 3rd paragraph from the bottom, lines 2–7).

107. As to claim 50, AeroSim discloses a system wherein the wind turbulence model in the transition region generates values of the wind turbulence model by linearly interpolating between values of wind turbulence models between the plurality of transition regions (see page 63, col. 1, last paragraph).

108. As to claim 51, Rauw discloses a system wherein the wind turbulence model transforms coordinates of the wind turbulence model in a plurality of regions to a common coordinate system (see page 233, Section B2.2).

109. As to claim 52, Rauw discloses a system wherein the common coordinate systems is the coordinates of the wind turbulence model in one of the plurality of regions (see page 237, Section B.5).

110. As to claim 53, Rauw discloses a system wherein the wind turbulence model transforms coordinates of the wind turbulence model in the first region to coordinates of the wind turbulence model in the second region (see page 237, Section B.5).

111. As to claim 73, AeroSim discloses a computer-readable medium holding instructions executable in a computer for the **design of a target system** (see "AeroSim aeronautical simulation blockset provides a complete set of tools for the rapid **development of** nonlinear 6-degree-of-freedom **aircraft dynamic models**" in page 3, col. 2, last paragraph, lines 1–3), wherein a planetary environment is one of factors for designing the target system, comprising: providing atmosphere models necessary to design the target system (see "library" in page 3, col. 2, last paragraph, lines 1–3); and incorporating the atmosphere models to the target system (see page 4, col. 2, last paragraph). Rauw discloses the atmosphere models including non-standard day atmospheric models (see "a non standard day atmosphere model" as a model in which "the geometrical altitude h in this equation must be replaced by the geopotential altitude" in page 24, last paragraph to page 25, last paragraph, line 2). As per "The standards MIL-HDBK-310 and MIL-STD-210C also provide consistent vertical profiles of temperature and density up to 80 km based on extremes at 5, 10, 20, 30 and 40 km. The input of the models is <u>geopotential height</u>" (see application description page 13, 2nd paragraph, lines 10–13), Examiner interprets "a non standard day atmosphere model"

as a model in which "the geometrical altitude h in this equation must be replaced by the geopotential altitude".

112. As to claim 74, AeroSim discloses a medium further comprising executing behavior of the target system designed (see page 32, 1st and 2nd paragraphs).

113. As to claim 75, AeroSim discloses a medium wherein the atmosphere models are represented by blocks (see " blocks" in page 3, col. 2, last paragraph, lines 1–3).

114. As to claim 76, AeroSim discloses a medium wherein the step of incorporating comprises providing a graphical user interface in response to an action taken by a user (see page 32, 4th paragraph).

115. As to claim 77, AeroSim discloses a medium wherein the graphical user interface is provided in response to users clicking the blocks representing atmospheric models (see page 41, 2nd paragraph).

116. As to claim 78, AeroSim discloses a medium wherein the graphical user interface provides an option to change an atmosphere model to another atmosphere model (see page 41, 2nd paragraph and "atmosphere" icon in Fig. 31).

117. As to claim 79, AeroSim discloses a medium wherein the user interface provides blanks to enter parameters of the atmosphere models to produce outputs of the atmosphere models (see page 32, 4th paragraph).

Response to Arguments

118. Applicant's arguments filed 4/9/07 have been fully considered but they are not persuasive.

119. Regarding the drawing objections, the amendment corrected all deficiencies and the objections are withdrawn.

120. Regarding the claim objections, the amendment corrected deficiencies and Applicant's arguments have been considered. The rejections are withdrawn.

121. Regarding the rejections under 112, the amendment corrected all deficiencies pointed out and the rejections are withdrawn.

122. Regarding the rejections under 101, the amendment did not correct the deficiencies, claims remain defective; additionally, Applicant's arguments have been considered and they are not persuasive. Claim rejections remain.

123. Regarding the rejection under 103. Applicant's arguments have been considered, but they are not persuasive.

124. Regarding the rejection of independent claims 1 and 13. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection. In the instant rejection, Examiner has elaborated prior art disclosures of amended claims 1 and 13.

125. Regarding the rejection of independent claims 25, 38, 60, 73, 80, and 87. Examiner does not see these features expressed in the claims. Examiner is not allowed to bring limitations set forth in the description into the claims. Although a claim should be interpreted in light of the specification disclosure, it is generally considered improper to read limitations contained in the specification into the claims. See In re Prater, 415 F.2d 1393, 162 USPQ 541 (CCPA 1969) and In re Winkhaus, 527 F.2d 637, 188 USPQ 129 (CCPA 1975), which discuss the premise that one cannot rely on the specification

to impart limitations to the claim that are not recited in the claim. Applicant arguments are more specific that the claims language and are therefore not persuasive. Therefore it is the Examiner's position that the cited references anticipate the independent claims and the rejections are maintained.

Conclusion

126. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

127. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

128. Examiner would like to point out that any reference to specific figures, columns and lines should not be considered limiting in any way, the entire reference is considered to provide disclosure relating to the claimed invention.

129. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juan C. Ochoa whose telephone number is (571) 272-2625. The examiner can normally be reached on 7:30AM - 4:00 PM.

130. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez can be reached on (571) 272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

131. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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